

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR 2002-093045

07/18/2003

HONORABLE DAVID M. TALAMANTE

CLERK OF THE COURT
B. Giles
Deputy

FILED: 07/25/2003

STATE OF ARIZONA

JEANNETTE GALLAGHER

v.

MICHELLE LEE HEATH (B)

RICHARD K MILLER

APO-PLEAS-SE
VICTIM SERVICES DIV-CA-SE

PLEA AGREEMENT/CHANGE OF PLEA

State's Attorney:	Jeannette Gallagher
Defendant's Attorney:	Richard K. Miller
Defendant:	Present
Court Reporter:	Helene Paustian

IT IS ORDERED the Docket be updated to reflect the Defendant's true name as Michelle Lee Heath from Michelle Lee Heath Sojka.

The Court reviews the Plea Agreement with Defendant. The Court advises Defendant of the range of possible sentence and the availability of probation, and any special conditions of sentencing and probation. The Court advises Defendant of all pertinent constitutional rights and rights of review.

Defendant enters a plea of Guilty to the following:

OFFENSE: Count 3: Child Abuse, A Dangerous Crime Against Children
Class 2 designated felony
A.R.S. § 13-3623(A), (B) (1), 604.01, 701, 702 and 801
Date of Offense: 04/26/1998 through 05/04/1998
Non Dangerous - Non Repetitive

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OFFENSE: Count 5: Child Abuse
Class 4 designated felony
A.R.S. § 13-3623(A), (C), 701, 702, 702.01 and 801
Date of Offense: 04/26/1998 through 05/04/2008
Non Dangerous - Non Repetitive

LET THE RECORD REFLECT that a conference was held at the Bench with counsel regarding Defendant's compliance with the Plea to establish the factual basis. The Court directs that State's counsel may ask direct questions of Defendant to comply with the Plea Agreement.

IT IS ORDERED accepting the plea.

IT IS ORDERED setting time for sentencing on **08/15/2003 at 8:30 a.m.** before Judge Talamante.

IT IS FURTHER ORDERED that the following will be deemed submitted at the time of sentencing: Motion To Dismiss Counts 4, 6, 7 and 8 as reflected in the Plea Agreement.

IT IS ORDERED the Adult Probation Department shall prepare a Presentence Report, and that Defendant shall report to the Adult Probation Department if not in custody.

IT IS ORDERED vacating Trial Management Conference set on 01/05/2004 and Firm Trial set on 01/12/2004 **as to this Defendant only.**

IT IS ORDERED pursuant to Rule 7.2 Defendant shall not be released on bail or own recognizance.